

Repeatedly, Babbitt testified that at the time he wrote to McCain, he did not believe that the question of what he had said to Eckstein was important to McCain, but he conceded that he did not answer all of McCain's questions:

. . . There must have been a discussion of some kind somewhere in the process for me to make the first important point in the letter, which was that I never discussed the matter with Ickes. I mean, you know, I had to make that point, and the second point that I do not agree with the Eckstein assertion with respect to the conversation.

All I would emphasize here is that the Eckstein conversation didn't seem very important to me when I wrote this letter to Senator McCain. You know, you can parse it a hundred ways after the fact.

I'm writing to McCain saying – his concern is, you know, Ickes and whether or not there's White House involvement, and there clearly wasn't. There was no communication with Ickes.

And I got that down because that's what I was really focusing on.

So I walked past the Eckstein thing by saying I dispute his – what's the language – I just left it hanging. I shouldn't have done that, but I did.<sup>718</sup>

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I think that's – it wasn't irrelevant, you know, looking back at the McCain letter. It's just that, as I looked at this issue coming from McCain, the issue was, you know, had you talked to Ickes; was Ickes involved in this. And my answer was no.

And the Eckstein stuff, that seemed to me to be the purport of McCain's concern about the Eckstein conversation, is that it had not only misled Eckstein; it had understandably looked misleading to a lot of other people.

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<sup>718</sup>*Id.* at 214.